**Application No:** 2015/4197  
**Application Type:** FULL  
**Case Officer:** Christine Ellera  
**Ward:** Molesey East  
**Expiry Date:** 09/02/2016  
**Location:** Land rear of 8 Arnison Road East Molesey Surrey KT8 9JJ  
**Proposal:** Additional detached two storey house (House 2) with associated landscaping and modification of access.  
**Applicant:** Mr Samuel Foxman  
Mr Matt Slader  
MJS Planning & Design Ltd  
First Floor  
Handel House  
2 Somerset Place  
Teignmouth  
Devon  
TQ14 8EP  
**Agent:**  
**Decision Level:** If Permit – Planning Committee  
If Refuse – Sub Committee  
**Recommendation:** Refuse  

**Representations:** A total of 59 letters of representations have been received from individual addresses including one letter of comment regarding the width of the access and concerns about the impact on the retaining wall with at No. 10 Arnison Road. A further 58 letters of objection have been received comments made can be summarised as follows:

- Similar applications have been recently refused by the Council
- The development is on garden land and not brownfield land
- Overdevelopment of the site
- Proposed development is out of keeping with the Conservation Area
- Impact on wildlife and loss of trees
- Highly visible and loss of privacy to adjacent residential properties
- Loss of light and overbearing impact to nearby residential dwellings
- Concerns about the proposed new access and highway safety
- The ‘precedents’ referred to are not relevant to this application
- Object to the noise and disruption during construction
- Proposed development would set a precedent for selling off other land
- Emergency vehicles would to be able to access the new houses
- Concerns about flooding
- Object to parking, noise and disruption
- Object to the prefabricated houses and proposed material finish
- Concerns about increased hard surfacing and surface water run off

***The application qualifies for public speaking***

The application was promoted to Area Sub Committee by Cllr Bax if the Officer recommendation is to refuse and by Cllr Cooper if the recommendation is to permit.

**Report**

**Description**

1. The application site relates to the rear garden area of 8 Arnison Road located on the southern side of Arnison Road. The site falls within the East Molesey (Kent Town) Conservation Area.
This Conservation Area forms the core of the Sub-Area MOL04: Kent Town as identified in the Council’s Design & Character SPD.

2. This part of the settlement area is almost unique to Elmbridge. The area comprises large detached villas in both classical and Gothic Revival styles set in generous plots with the use of London stock bricks, stucco, decorative plaster and natural slate roofs. These are set within a street pattern of straight, wide tree lined roads.

3. There is a strong hierarchy to the roads on travelling from north to south with the largest, most prestigious houses (sometimes up to four storey) to the north moving through to the more modest two storey cottages in the south and ultimately leading to the commercial premises of Walton Road.

4. The ‘host’ property is one of the more traditional examples of a villa property within the area, which provides a positive contribution to the Conservation Area. The adjacent property to the west is a larger Victorian Manor House which appears to have been subdivided into flats.

**Constraints**

5. Of direct relevance:
   - Conservation Area
   - Tree Preservation Order
   - Unclassified Road

**Policy**

6. In addition to the National Planning Policy Framework, the National Planning Practice Guidance and the Technical housing standards- nationally described space standards the following local policies and guidance are relevant to the determination of this application:

   The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

   **Core Strategy 2011**

   CS1- Spatial Strategy
   CS2- Housing Provision, Location and Distribution
   CS7- East and West Molesey
   CS14- Green Infrastructure
   CS15- Biodiversity
   CS17- Local Character, Density and Design
   CS21- Affordable Housing
   CS25- Travel and Accessibility
   CS27- Sustainable Buildings

   **Development Management Plan 2015**

   DM1- Presumption in favour of sustainable development
   DM2- Design and amenity
   DM6- Landscaping and trees
   DM7- Access and parking (including Elmbridge Parking Standards)
   DM8- Refuse, recycling and external plant
   DM10- Housing
   DM12- Heritage

   **Design & Character SPD 2012**

   **Developer Contributions SPD 2012**
East Molesey (Kent Town) Conservation Area Character Appraisal and Management Proposals

Relevant Planning History

7. Of direct relevance:

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015/2236</td>
<td>Additional detached two storey house (House 2) with rear balcony and new access</td>
<td>Refused</td>
</tr>
<tr>
<td>2015/2235</td>
<td>Additional detached two storey house (House 1) with rear balcony and new access</td>
<td>Refused</td>
</tr>
<tr>
<td>2015/2610</td>
<td>Two-storey side extension with accommodation in the roof, single storey rear extension and single storey front porch following demolition of existing side extension</td>
<td>Permitted</td>
</tr>
</tbody>
</table>

The above planning application was refused under delegated authority for the following reasons:

6. The proposed development by reason of its height, scale, mass, bulk, design and access is not considered to be one which preserves or enhances the character and appearance of the Conservation Area, contrary to The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), the National Planning Policy Framework (2012), policies CS7 and CS17 of the Elmbridge Core Strategy (2011), policies DM2, DM10 and DM12 of the Development Management Plan (2015), the Council's adopted Supplementary Planning Document on 'Design and Character' (2012).

7. The proposed driveway access associated with the proposed new dwelling(s) by reason of its siting and proximity to the existing house, currently known as '8 Arnison Road', is considered to have a detrimental impact on the amenities of the occupiers of this dwelling in terms of noise and disturbance, contrary to the provision of the National Planning Policy Framework (2012) and policy DM10 of the Development Management Plan (2015), and Council's adopted Supplementary Planning Document on 'Design and Character' (2012).

8. The proposed development would lead to an intensification in the use of an existing access which has sub-standard vehicle visibility towards the west due to a lack of land within the developer's control to provide and maintain the required minimum visibility. The access for the house(s) to the rear would lead to vehicles having to drive out onto the highway without being able to see or be seen by pedestrians and vehicles, detrimental to the highway safety of pedestrians and other highway users and contrary to policy DM7 and DM10 of Elmbridge Development Plan (2015) and CS25 of the Elmbridge Core Strategy (2011).

9. In the absence of a completed legal agreement, the proposed development has failed to secure the necessary on site affordable housing required to mitigate against the impact of the development, contrary to policies CS21: Affordable Housing of the Elmbridge Core Strategy (2011) and the Council's adopted Supplementary Planning Document on 'Developer Contributions' (2012).
Proposal

8. This is a full planning application for the erection of a two storey detached house shown on the proposed plans a ‘house 2’ located in the rear garden area of 8 Arnison Road. A new access is proposed, to facilitate this access planning permission to the ‘host dwelling’ (8 Arnison Road), 2015/2610 would have to be first implemented as currently the existing two storey side extension does not provide the space for the proposed access road.

9. The proposed new house would be located at a tandem to the host dwelling and would have a hip roof and front projecting articulation. A rear balcony is proposed, shown to have obscurely glazed side screen panels.

10. Parking area is shown the front of the site with 3 parking bays and bin stores. Proposed plans also show ‘house 1’ located adjacent to the south of proposed ‘house 2’. The redline of the location plan includes the area of ‘house 1’, however this house is submitted under a separate planning application 2015/4196.

11. With reference to the above planning history, this is a revised planning application following the refusal of planning application 2015/2236. The main alterations can be summarised as follows:
   - Repositioning of the proposed access from Arnison Road
   - Repositioning of the side elevation of plot 2 to be a further 0.4m from the proposed new side boundary with ‘house 1’.
   - Repositioning of the front projection to ‘other’ side of the front elevation with hipped roof
   - Reduction in the size of the single storey rear projection and reduction in size of balcony above.
   - Minor alterations to window sizes and positions.

12. The overall height and positions to side boundaries within the plot (to the rear abutting properties along St Johns Road and Hansler Grove) have not be perceptibly changed and are relatively the same as that previously considered.

Consultations

13. Surrey County Council (Transportation): Having conducted a further site visit to the property the Highway Authority has assessed the impact of the proposal on highway safety and capacity and raise no objections subject to conditions and informatives and considers that the proposed development is in accordance with policies CS25 of the Core Strategy and DM7 of the Development Management Plan.

14. Council’s Conservation Area Officer: This current scheme is very similar to one which was refused planning permission earlier this year. The dimensions of the buildings now proposed appear to be almost identical. There have also been some changes to the proposed design and materials.

However, none of these alterations to the scheme address my concerns that two 4 bedroomed houses of two storeys sited on relatively small plots would not be compatible with the spacious character of this part of the conservation area nor reflect historic plot sizes. Development at the rear of No. 8 would also result in creation of a new hard surfaced access route immediately between No. 8 and the adjacent Significant Unlisted Building which I consider is likely to have a negative impact on the street scene. There would be additional loss of rear garden to No. 8 for the provision of car parking which would further erode the spacious green character of the conservation area.

I do not consider that the examples given in the Heritage Statement suggest any precedent. I note that examples given as ‘context’ are generally located outside the conservation area and most of the examples chosen are not of Significant Unlisted Buildings but buildings which have been identified as ‘neutral’ and therefore not to be used as exemplars. The backland
development at the rear of 25a Arnison Road should not be regarded as a precedent since this was brownfield land which had been first developed at least 120 years ago. This site is shown on the 1895 OS map and may perhaps have originally been used for stabling but at the time of redevelopment it was a builder’s yard.

In conclusion, I consider these proposals would neither protect nor enhance the character and appearance of the conservation area and would be damaging in Character Area 1, which has been identified as being particularly spacious in character.

15. East Molesey Conservation Area Advisory Committee: No comments received at the time of writing the Officer Report.

16. Tree Officer: No objection subject to conditions

Positive and Proactive Engagement

17. In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of 186-187 of the NPPF by making available pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

18. The applicants did not seek further pre-application advice in advance of the submission of this application following the refusal of the last application the site. Before the initial submission the applicants entered into pre-application discussions with the Local Planning Authority. Whilst a site visit was not undertaken as part of these pre-application enquiries concerns were raised regarding the appropriateness of the proposed buildings of this scale and bulk within the Conservation Area.

Planning Considerations

19. The main planning considerations in the determination of this application are:

- Planning History
- Design Considerations
- Impact on Neighbouring Amenity
- Highway and Parking considerations
- Provision of a suitable residential environment
- Trees and Biodiversity
- Financial Contributions

Planning History

20. Whilst the proposed plans show two proposed new dwellings on the site plan. The application has been submitted for 1x dwelling, planning application 2015/4196 for ‘house 1’ has been submitted independently from this application. However as both houses could be erected together this planning application will be considered independently and in combination with the application for ‘house 2.’

21. With reference to the above planning history this is a revised planning application following the refusal of planning application 2015/2236 on 22/10/2015. There has been no material change in planning policy since the previous decision and conditions on site have not changed. Therefore the main consideration is if the proposed revisions as set out above overcome the previous grounds for refusal.

Design Considerations

22. Refusal reason 1 of planning application 2015/2236 states:

The proposed development by reason of its height, scale, mass, bulk, design and access is not considered to be one which preserves or enhances the character and

23. The site falls within the East Molesey (Kent Town) Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of the Conservation Areas. Both National and Local Policy reinforce and provide further guidance on that contained within the above statute.

24. The key design consideration of any new development should be one which responds and reflects the historic character of the area, not to draw to the attention of the Local Planning Authority (LPA) poor examples, these should not be seen as a precedent for allow poor quality development in an area of high architectural quality. Development within the Conservation Area should be of a height and scale which is appropriate to and responds to its setting. Such developments in the local area are typically of traditional brick stock, slate or plain clay roof tiles, with timber windows.

25. The design of the proposed new dwellings has not been significantly amended. The height of the proposed new dwellings is not perceptibly greater than the previous refusal with only minor changes to the windows, front projection and the size of the single storey rear projection. These modest changes to the proposed new building are not considered to overcome the previous concerns expressed in terms of design.

26. The plots to the proposed new dwelling(s) would remain uncharacteristically small for this part of the Conservation Area. Development at the rear of No. 8 would also result in creation of a new hard surfaced access route immediately between No. 8 and the adjacent Significant Unlisted Building, to which the Council’s Conservation Area Officer has raised objection to. Material finish has not been proposed and it is unclear if with a roof pitch of 35 degrees to the house as proposed would be able to be built in a material finish which is in keeping with the area.

27. The sustainability and low energy production of the proposed new houses nor the proposal's economic, social and environmental benefits are considered to mitigated against the harm to the designated Conservation Area as a heritage asset

28. The proposed revisions are therefore not considered to overcome the previous grounds for refusal and the proposed development by reason of its height, scale, mass, bulk, design and access is not considered to be one which preserves or enhances the character and appearance of the Conservation Area, contrary to The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), the National Planning Policy Framework (2012), policies CS7 and CS17 of the Elmbridge Core Strategy (2011), policies DM2, DM10 and DM12 of the Development Management Plan (2015), the Council's adopted Supplementary Planning Document on 'Design and Character' (2012).

Impact on Neighbouring Amenity

Impact on the "host" dwelling- 8 Arnison Road:

29. Refusal reason 2 of planning application 2015/2236 states:

The proposed driveway access associated with the proposed new dwelling(s) by reason of its siting and proximity to the existing house, currently known as '8 Arnison Road', is considered to have a detrimental impact on the amenities of the occupiers of this dwelling in terms of noise and disturbance, contrary to the provision of the National Planning Policy Framework (2012) and policy DM10 of the Development Management Plan (2015), and Council's adopted Supplementary Planning Document on 'Design and Character' (2012).
30. The applicant’s supporting statement claims that “the host house currently has windows overlooking the access road; 1 to the kitchen, 1 to the front bedroom and a partially glazed door onto the access road. This does not cause any noise or disturbance even though the access is in continuous use. The windows on the new extension to 8 Arnison Road are triple glazed, opaque, non-functioning windows to the kitchen of the new extension to 8 Arnison Road. This should mitigate any noise or disturbance.”

31. There appears to be a side access path as existing between 8 – 10 Arnison Road, but as per the previous Officer’s Report, any such historic access has been overgrown and is currently not uses or apparent on the Officer’s site visit. Policy DM10 remains that development on garden land will be expected to provide a means of access which is appropriate in size and design to accommodate vehicles and pedestrians safely and to prevent harm to the amenities of the adjoining residents.

32. Under permitted scheme 2015/2610 for the side extension to the host dwelling (which has to first be undertaken to accommodate the proposed access) this has full level windows facing out onto this access path. Whilst the applicants claim that the proposed new windows would prevent any noise or disturbance, no further evidence to support these claims has been provided. In view of this it remains the view of officers that the vehicle movements associated with the proposed development in combination with the position of this access path would have a significant detrimental impact on the amenities of the occupiers of this dwelling.

33. The access road to the proposed new dwelling is some 72m in length and is single track. A revised access is proposed so that it is a step away from the side boundary of the property with No. 10. Concerns were previously raised in terms highway conflict with no place of cars to pass along such a long driveway, cars may have to reverse along this drive, adjacent to the host property also resulting in noise and disturbance to the occupiers of the host dwelling.

34. The applicants now state that “As a gathered access has been created in the design process, cars will not have to reverse along the access adjacent to the host house. Once cars turn into the drive, if they can see an approaching car, there is ample room at the front to pause until the approaching car has exited the property.”

35. In view of this revised new access point, the proposed redesign may overcome officer concerns in this regards, however it remains that insufficient information has been submitted to demonstrate that the vehicle movements associated with the proposed development would not impact on the amenities of the occupiers of the host dwelling.

Impact on the amenities of the surrounding dwellings:

36. In terms of the properties along Bridge Gardens, ‘house 2’ would be screened by ‘house 1’. In reference to planning application 2015/4196 objection has still been raised in terms of the potential impact from ‘house 1’ on 16 Bridge Gardens. However, if ‘house 2’ were to be built in insolation, given the separation distance of some 19m to the rear boundaries of the properties along Bridge Gardens it is not considered that this plot built independently from ‘house 1’ would harm the amenities of the occupiers of these dwellings in regards of loss of light and/or overbearing impact.

37. The objections received from other local residents are noted, however given the minor changes to the siting and position of the proposed new dwellings it is not considered that the revisions to the proposed scheme would introduce any further concerns in terms of the impact on neighbouring amenity to that considered under the last application at this site. It would be unreasonable for the LPA to introduce any further refusal reasons in this regard.

38. It is acknowledged that No. 4 St Johns Road has a limited garden area, with a change of levels of around 0.4m below the application site. Any functional amenity space is located to the south of this property in a form of a small court yard/patio area. At the closet point ‘house 2’ would be located 22m from the main rear elevation of No. 4 and approximately 18m from the rear boundary. No 7 main rear amenities area is also located to the western side elevation.
of the dwelling, the boundary of which is 18m from the front elevation of ‘house 2.’ The rear elevation of 10 Arnison Road is located over 45m to the proposed new dwelling(s). Properties along Hansler Grove are located in the excess of 35m from the rear elevation of these dwellings. As such it is considered that there is adequate separation distances between properties to prevent any impact on the amenities of the occupiers of these dwellings in terms of loss of light, overbearing impact or privacy and complies with the guidance contained within the Council’s adopted SPD on ‘Design and Character.’

39. Any side windows proposed to the new dwelling are either secondary windows and/or serve non habitable rooms. Therefore conditions could secure these to be obscurely glazed. A rear balcony is proposed, however the proposed screen could prevent any issues regarding direct overlooking. Further comments have been made regarding loss of views to this overgrown rear garden area. There is not right to a particular view over third party land.

40. Concerns were also expressed regarding potential light and noise disturbance from cars coming to and from the site. Given the separation distances and boundary treatments in relation to dwellings along St Johns Road and Bridge Gardens it is not considered that the vehicle movements associated with one (or two) domestic dwellings would result in significant noise and disturbance which would have a detrimental impact on the amenities of the occupiers of the surrounding residential dwellings.

Highway and Parking considerations

41. The proposed development would require a new access from Arnison Road. The applicant has commented that there is an existing access along this side path; however this was not readily apparent on the Officer’s site visit. In any event, in order to provide this access the existing side extension to the host dwelling would have to be demolished and a new extension erected. If the application were to be recommended for approval a Grampian condition could secure that this sequence of event took place.

42. Refusal reason 4 of planning application 2015/2235 states:

The proposed development would lead to an intensification in the use of an existing access which has sub-standard vehicle visibility towards the west due to a lack of land within the developer’s control to provide and maintain the required minimum visibility. The access for the house(s) to the rear would lead to vehicles having to drive out onto the highway without being able to see or be seen by pedestrians and vehicles, detrimental to the highway safety of pedestrians and other highway users and contrary to policy DM7 and DM10 of Elmbridge Development Plan (2015) and CS25 of the Elmbridge Core Strategy (2011).

43. The existing access to Arnison Road serves the parking area to the front of the site. It is now proposed that the access would be repositioned to provide increased visibility to the side boundary. Surrey County Council as the highway authority has been consulted on this planning application. Whilst they did raise objection to the last application on highway safety and visibility grounds, they have conducted a further site visit as part of this application to assess the location of the proposed new access. They have considered the revised position of the access and have raised no objections on these grounds. In view of the formal response of the Highway Authority it is considered that the proposed development would provide suitable access and egress to the site and as such this revised application overcomes refusal reason 4 of application 2015/2235.

44. The Council’s maximum parking standards also sets out that dwelling(s) of this size should provide a maximum of 2 parking spaces per dwelling, this proposal exceeds that guidance. The applicants claim that a further two parking spaces would be for the residents of the host dwelling, which is located over 70m from the parking spaces and afford parking to the front of the site. It is likely that landscaping conditions seeking to reduce the amount of hardstanding could resolve this issue in the event the Officer recommendation was to permit.
Provision of a suitable residential accommodation

45. The proposed new dwelling would provide suitable and spacious accommodation throughout with suitable outlook, natural lighting and ventilation which exceeds the relevant space standards. The rear amenity space for the new dwelling would meet the Council’s recommended garden sizes for dwellings of this size.

46. There is suitable spacing and access for refuse bins to be located to the side and/or rear of the house. The Council’s bin collections will not drive down a 72m track to collect refuse bins from 1 (or two) domestic properties. The distance between the proposed new dwelling(s) and the front of the road is some 70m. Whilst this dragging distance for refuse collections is something which is less than ideal and taking into account the points raised by residents on this matter it remains the position of Officers that this on its own is not considered to be a matter which is considered to result in significant harm to warrant a refusal.

Trees and Biodiversity

47. No objections were previously raised in terms of trees and/or biodiversity. Policy DM6 seeks to retain trees which are, or are capable of, making a significant contribution to the character and amenity of the area. There are a number of low quality trees which are not visible from the public realm which are proposed to be removed as part of this planning application. It should be noted that a number of trees shown on the proposed site plan will be removed to facilitate the proposed development (as shown on the relevant tree protection plans). The Council’s Tree Officer has reviewed this information and subject to conditions and is satisfied that the proposed development is acceptable.

48. Further concerns and objections have been raised regarding the loss of biodiversity within this area. The application site relates to a rear garden area of a dwelling house, whilst currently over grown it is not under any specific designation. Conditions could secure a biodiversity plan is submitted as part of any approval to provide suitable mitigation in terms of bird boxes and replacement planting to encourage further wildlife in the rear garden areas of the proposed new dwelling(s) and the host property.

49. Further concerns have been raised in terms of flooding issues, the site is not within flood zone 2 or 3.

Financial Contributions

50. Refusal reason 4 of planning permission 2015/2236 relates to:

In the absence of a completed legal agreement, the proposed development has failed to secure the necessary on site affordable housing required to mitigate against the impact of the development, contrary to policies CS21: Affordable Housing of the Elmbridge Core Strategy (2011) and the Council's adopted Supplementary Planning Document on 'Developer Contributions' (2012).

51. Policy CS21: Affordable Housing of the Council’s Core Strategy (2011) requires that development resulting in the net gain of 1-4 residential units should provide a financial contribution equivalent to the cost of 20% of the gross number of dwellings on site as Affordable Housing. At the time of writing the Officer Report the LPA have not received a completed Unilateral Undertaking to secured this provision. Therefore as it stands this application has not overcome these previous grounds for refusal.

52. Section 70 subsection 2 of the Town and Country Planning Act 1990 (as amended) states that any local financial considerations are a matter to which local planning authorities must have regard to in determining planning applications; as far as they are material for the application. The weight to be attached to these considerations is a matter for the Council.

53. The New Homes Bonus is a grant paid by central government to local councils for increasing the number of homes and their use. The New Homes Bonus is paid each year for 6 years. It
is based on the amount of extra Council Tax revenue raised for new-build homes, conversions and long-term empty homes brought back into use. There is also an extra payment for providing affordable homes.

54. In the 2014-15 allocation, the Council received £2.07m through the New Homes Bonus. The Council’s provisional New Homes Bonus allocation for 2015-16 is £2.45m.

55. Local financial considerations are defined as grants from Government or sums payable to the authority under the Community Infrastructure Levy (CIL). This means that the New Homes Bonus is capable of being a material consideration where relevant. In the current case, the approval of the application would mean that the New Homes Bonus would be payable for the net increase in dwellings from this development.

56. The development falls under development which is liable for CIL. A self-build exemption has been submitted for this application.

**Matters Raised in Representations**

57. It is considered that all relevant planning considerations have been addressed. Issues regarding access from fire vehicles are dealt with under building regulations.

**Conclusion**

58. In view of the above and taking into account all relevant matters it is recommended that planning permission be refused for the following reasons:

59. The proposed development by reason of its height, scale, mass, bulk, design and access is not considered to be one which preserves or enhances the character and appearance of the Conservation Area, contrary to The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), the National Planning Policy Framework (2012), policies CS7 and CS17 of the Elmbridge Core Strategy (2011), policies DM2, DM10 and DM12 of the Development Management Plan (2015), the Council's adopted Supplementary Planning Document on 'Design and Character' (2012).

60. The proposed driveway access associated with the proposed new dwelling(s) by reason of its siting and proximity to the existing house, currently known as ‘8 Arnison Road’, is considered to have a detrimental impact on the amenities of the occupiers of this dwelling in terms of noise and disturbance, contrary to the provision of the National Planning Policy Framework (2012) and policy DM10 of the Development Management Plan (2015), and Council's adopted Supplementary Planning Document on 'Design and Character' (2012).

61. In the absence of a completed legal agreement, the proposed development has failed to secure the necessary on site affordable housing required to mitigate against the impact of the development, contrary to policies CS21: Affordable Housing of the Elmbridge Core Strategy (2011) and the Council's adopted Supplementary Planning Document on 'Developer Contributions' (2012).

**Case Officer Checklist**

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<tr>
<th>Neighbour Notifications</th>
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<tr>
<td>Drawings</td>
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<td>Site Visit Notes</td>
<td>CME: 08.01.2015</td>
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**Recommendation: Refuse Planning Permission**

**Reasons For Refusal**

1. The proposed development by reason of its height, scale, mass, bulk, design and access is not considered to be one which preserves or enhances the character and appearance of the Conservation Area, contrary to The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), the National Planning Policy Framework (2012), policies CS7 and CS17 of the Elmbridge Core Strategy (2011), policies DM2, DM10 and DM12 of the Development Management Plan (2015), the Council's adopted Supplementary Planning Document on 'Design and Character' (2012).

2. The proposed driveway access associated with the proposed new dwelling(s) by reason of it sitting and proximity to the existing house, currently known as '8 Arnison Road', is considered to have a detrimental impact on the amenities of the occupiers of this dwelling in terms of noise and disturbance, contrary to the provision of the National Planning Policy Framework (2012) and policy DM10 of the Development Management Plan (2015), and Council's adopted Supplementary Planning Document on 'Design and Character' (2012).

3. In the absence of a completed legal agreement, the proposed development has failed to secure the necessary on site affordable housing required to mitigate against the impact of the development, contrary to policies CS21: Affordable Housing of the Elmbridge Core Strategy (2011) and the Council's adopted Supplementary Planning Document on 'Developer Contributions' (2012).

**Informatives**